

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action  
No. 05-10506-WGY

\* \* \* \* \*

BLUE HILLS OFFICE PARK LLC,

Plaintiff, Defendant-in-Counterclaim,

v.

J.P. MORGAN CHASE BANK, as Trustee for the  
Registered Holders of Credit Suisse First Boston  
Mortgage Securities Corp., Commercial Mortgage  
Pass-Through Certificates, Series 1999-C1,

and

CSFB 1999-C1 ROYALL STREET, LLC;

Defendants, Plaintiffs-in-Counterclaim,

v.

WILLIAM LANGELIER and GERALD  
FINEBERG,

Defendants-in-Counterclaim.

\* \* \* \* \*

**BENCH TRIAL - VOLUME 5**

BEFORE: The Honorable William G. Young,  
District Judge

1 Courthouse Way  
Boston, Massachusetts

October 3, 2006

A P P E A R A N C E S

BERNKOPF GOODMAN LLP (By Peter B. McGlynn, Esq. and Meredith A. Swisher, Esq.), 125 Summer Street, Suite 1300, Boston, Massachusetts 02110, on behalf of Plaintiff/Defendant-in-Counterclaim and Defendants-in-Counterclaim

DLA PIPER RUDNICK GRAY CARY US LLP (By Bruce E. Falby, Esq., Bruce S. Barnett, and Traci S. Feit, Esq.), 33 Arch Street, 26th Floor, Boston, Massachusetts 02110-1447, on behalf of Defendants and Plaintiffs-in-Counterclaim

I N D E X

**WITNESS:                      DIRECT          CROSS                  REDIRECT          RECROSS**

JOSEPH POLCARI, Resumed

By Mr. McGlynn          4                                  116

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RICHARD A. CLARKE

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**EXHIBITS:    FOR                  IN**  
**I.D.                  EVID.**

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